

**Enrolled Memorandum of the Meeting  
Study Session/Meeting  
Twenty-Ninth Town Council of Highland  
Monday, March 02, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, March 02, 2020** at 6:30 O'clock P.M., in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Mark Herak, Mark Schocke, Thomas Black and Roger Sheeman were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

*Officials Present:* John P. Reed, Town Attorney was present.

*Additional Officials Present:* Ed Dabrowski, IT Consultant (Contract); Larry Kondrat and Rick Volbrecht of the Board of Waterworks Directors; and Richard Underkofler of the Tree Board were present.

*Guests:* Trent Ward of e-gov technologies; Robin Carlascio of the Idea Factory was also in attendance.

**General Substance of Matters Discussed.**

1. **Discuss e-Gov website services.** (A presentation). Mr. Tent Ward made a presentation regarding e-Gov's website services. Mr. Ward also explained that he performed an analysis of the current website, noting that it wasn't in compliance with Americans with Disabilities Act requirements and some links were not properly connected.

Mr. Ward highlighted some features of the e-Gov services which included the ability for either single "web master" or each department head to make changes to the site once installed and operational.

Mr. Ward further stated that the website platform would allow people to on their own subscribe for notifications of minutes and such. He further noted one web platform feature would allow operators to post directly to most social media, such as Twitter. Face Time postings could be done but indirectly.

Mr. Ward noted that there was a "ticker" feature, that allowed a special notification for matters of special import or emergencies.

When questioned, Mr. Ward believed that his platform would support a single link to the State Board of Accounts Gateway Platform for minutes, as the current website provides.

Mr. Ward also noted that there is no loss of functionality or web vista when used on a lap-top, desk-top or mobile phone.

The Town Council discussed with Mr. Ward how secure the platform was, and what standard to which it was engineered. Mr. Ward gave examples of large municipal and county users in Texas and in New York State and noted that there was no issue with security.

It was noted that Councilor Sheeman had a copy of a proposal from e-Gov. It was informally suggested that the start-up cost would be just under \$20,000 and the yearly subscription would be just under \$5,000 annually.

Mr. Ward departed at this time.

2. ***Banners in Downtown.*** The Town Council continued to discuss and work on establishing formally a program providing certain honorific banner displays on public light poles on Kennedy Avenue, Jewett Street and Highway Avenue.

The Town Council President expressed his belief that a consensus for a banner policy had been exhibited by the Town Council during its prior study session. .

The Town Clerk-Treasurer reported that he had conferred with the Town Attorney to discern what policy elements may have emerged from the last Study Session, which the Clerk-Treasurer summarized as follows:

- An ordinance would designate up to 75 poles in the Highland downtown for use by Highland High School senior year athletes in Fall sports.
- An ordinance would designate up to 50 poles in the Highland downtown for use by Highland High School senior year athletes in Spring sports.
- Dedicate all other poles in the summer months to soldiers, veterans, and MIA, KIA military personnel except for those locations needed by the Town to promote its Independence holidays, festivals and some winter holiday displays too.

The Town Council also discussed dedicating with the approval of the Park and Recreation Board, the posts in Main Square Park for the veterans or military honorific banners too.

When asked by the clerk-treasurer, it was suggested that applications should be part of the process but no decision was made on fees.

The discussion included the merits of having businesses as sponsors of the high school athletic banners. The Town Council President indicated that for the downtown there would likely not be any solely business banners except as they might sponsor the other banners.

The Town Clerk-Treasurer stated that he would confer with the Town Attorney and work on an ordinance to amend the code that would memorialize the elements of the banner policy as discussed.

A person representing the veterans banner initiative indicated that she would be launching information about the veterans banners on a Facebook page.

3. ***Discussion regarding taking up a Proclamation for Persons with Disabilities Month.*** The Town Council President noted that he had been contacted by Denise Babjak of Chasing Dreams, Inc. an advocacy and service provider for persons with disabilities about procuring a proclamation for Disability Month. While she was not present, Liz Satan and her son were present to represent Chasing Dreams. There was no objection to having the proclamation for March.

4. **Discussion regarding appointments.** It was noted that there remained a need to discuss or review prospective candidates for appointment to the ABZA (executive appointee), one multi-year executive position and one multi-year legislative position on the Community Events Commission.

The Council determined that an *Executive Session for Monday March 9, 2020 beginning at 5:00 p.m.* would be helpful for the remaining candidates for the positions on the boards or commissions.

5. **Discuss the scheduling of the traffic engineer present to the Town Council regarding the issue of the Park and Recreation successful grant application for the installation of Hawk Pedestrian Traffic Control at the Bike Path intersection at Kennedy Avenue.** (NIRPC actually funded this in its forthcoming Transportation Improvement Plan. There is a difference of opinion on the merit of this installation.) John Bach has suggested that the engineer present to the Town Council. John Sent an electronic mail regarding this.

The Town Council noted that this and determined to have the Public Works Director contact the engineer to present at the **Town Council Study Session on March 16, 2020.**

6. **Discuss the request of the Tree Board to allow Public Works Director to contract with Redbud Landscape Services to plant 50 trees and water them for two growing seasons, along the southside of the Little Calumet River from 5<sup>th</sup> Street to Liabile Road.** The contract cost is \$39,083. Also, wishes a contingency based upon a reimbursement (grant) from Little Calumet River Basin Development Commission. (See the Council Decision Request from TREE BOARD)

The Town Council and Richard Underkofler of the Tree Board noted that the Little Calumet River Basin Development Commission offers reimbursement grants for the installation of trees near but not on the flood control ridge. Mr. Underkofler reported that the recommended provider of watering and planting services was selected after a proper bidding process, following legal notice advertised twice. The council decision request was to award the contract to the lowest most responsive bidder subject to the approval of a funding source.

It was noted that a source of funding the complete costs before the reimbursement of \$30,000 was needed and would require an additional appropriation. The Town Clerk-Treasurer indicated that there were unreserved fund balances in the Corporation General, Municipal Cumulative Capital Development and the Economic Development Local Income Tax Funds. The Town Council offered no preference for sourcing the payment. The matter as a works board order would be placed on the agenda for the plenary business meeting.

**COUNCIL DECISION REQUEST  
TOWN OF HIGHLAND, INDIANA**

To: Members of the Town Council  
Copy: Michael Griffin, Clerk Treasurer  
John Bach & Mark Knesek, Public Works Department  
Alex Brown & Trever Kinley, Parks and Recreation Department  
Members of the Tree Board  
nicki@redbudlandscape.com

From: Richard Underkofler, Tree Board Secretary  
Date: February 26, 2020  
Subject: Little Calumet River South Watershed Tree Planting  
Exhibits (3): Contractor Bid Tabulation; Planting Plans Revised 1/3/2020

**CONSIDERATION REQUESTED:** March 2, 2020 Work Study Session; March 9, 2020 Council Meeting

**RECOMMENDED MOTION:**

“I move to authorize an additional appropriation of a \$30,000 reimbursement grant from Little Calumet River Basin Development Commission and \$9,083 from another fund (*identify fund*) to enable the Public Works Director to give notice of intent to award a contract to Redbud Landscape Services to plant 50 trees and water them for two growing seasons along the southside of the Little Calumet River from 5<sup>th</sup> Street to Liable Road.”

**COMPANION INFORMATION:**

\$1,970 was expended by the Public Works Department for consultant services by Graf Tree Care, Inc., the Town’s Urban Forestry Consultant to identify tree species, two versions of planting location site maps and draft specifications for a Request for Proposals (RFP) for this contract.

Notice of the RFP for the contract was published twice in the NWI Times and emailed to 11 Highland Licensed Landscape Contractors. Five contractors participated in a mandatory pre-bid conference held January 13, 2020. One addendum that responded to questions received at the conference was emailed to the 5 contractors January 17, 2020. Sealed bids from three contractors were opened January 27, 2020. A tabulation and notes pertaining to each of the bids is an exhibit to this transmittal. The bid of Redbud Landscape Services is completely responsive to the specifications and is deemed to be in the best interest of the Town of Highland.

An email was received February 21 from Dan Repay, Executive Director of the Commission, “I am pleased to inform you that the Town of Highland has been granted \$30,000 for the planting of 50 trees as outlined and approved in your submittal. In order to draw on the money you have been granted the Town would sign off on the bill associated with the planting and send the bill along with the concurrence to my attention. We will then send a check up to the amount granted. Any invoice above the amount of \$30,000 will be the responsibility of the Town.”

This project is being outsourced to mitigate labor expense affected by property tax caps. The trees will improve air quality by absorbing CO<sub>2</sub> from the air; reduce the volume of storm water flow; and improve water quality by filtering road salt and hydrocarbon pollutants from storm water that flows from catch basins and ditches to the Little Calumet River.

**Little Cal South Watershed Tree Planting & Watering Bid Tabulation**

Bids Opened January 27, 2020 @ 3:00 PM

Witnessed by: John Bach, Alex Brown, Richard Underkofler & Dave Hubinger

	Matt's Landscaping	Redbud Landscape Services	Hubinger Landscaping
<b>Item / Service</b>	<b>Lump Sum Bids</b>		
<b>Planting:</b> Furnish, install, mulch and initially water 50 trees per attached list.	\$ 23,750	\$ 29,083	\$ 27,957
<b>Watering Base Bid:</b> Water 50 Trees once weekly from May 31 to Oct 31, 2020 (22 Weeks)	\$ 8,800	\$ 5,000	\$ 9,900
<b>Alternative Watering Bid:</b> Water 50 Trees once weekly from May 31, 2020 to Oct 31, 2021 (44 Weeks)	\$ 17,600	\$ 10,000	\$ 19,800
<b>Total Base Bid (22 weeks watering)</b>	<b>\$ 32,550</b>	<b>\$ 34,083</b>	<b>\$ 37,857</b>
<b>Total Alternative Bid (44 weeks watering)</b>	<b>\$ 41,350</b>	<b>\$ 39,083</b>	<b>\$ 47,757</b>

7. **Arbor Day 2020.** Mr. Underkofler further reported to the Town Council that in April the Tree Board would be organizing an event to mark Arbor Day, with Highland Christian School. The Town Council President would be asked to approve a proclamation recognizing Arbor Day in Highland. As the date of the event approaches, the Tree Board would offer more detail.
8. **Discuss the status of the Great Blue Heron Rookery.** Councilor Sheeman and Mr. Underkofler discussed the status of the rookery. It was noted that it was placed on parcels with ownership that was with both the Town of Highland and the Little Calumet River Basin Development Commission. It was further noted that the responsibility for its operation or upkeep was not clearly assigned to any one department of the Town.

It was further noted that the Chicago Audubon Society has obtained funding that would correct for the flow of water in such a way that trees would recover as fallen and again be desirable as habitat for the Great Blue Heron and other water birds. The Town Council generally agreed that the site could be a desirable attraction for visitors.

There was no objection in allowing Councilor Sheeman to gather the principal groups with some relationship to the Rookery as well as contacting the person with the Chicago Audubon Society regarding its relationship to the site.

9. **Discuss the status of rate review being conducted by Board of Sanitary Commissioners and the Board of Waterworks.** Discuss whether it would be desirable to absorb the surcharges imposed by the online and electronic money processing bureaus, in the rate base rather than impose the charges directly on users of online, and credit card services to pay for municipal services. *(Whatever the position, the Boards of jurisdiction with each utility will have to consent.)*

The Town Council received an impromptu report from Larry Kondrat as a member of the Board of Waterworks Directors regarding the need for both utility governing boards to consider and recommend rate increases to meet the lawful needs of each including the return on investment component for the Town's general fund.

10. **Review the Summary reports for the reserve requirements for the General, Parks and Recreation and Redevelopment General Funds.** The Clerk-Treasurer provided the reports he prepares to assay the Town's compliance with the provisions of Section 3.45.210 through Section 3.45.230 of the Highland Municipal Code, which governs the required operating reserves for the General, Parks and Recreation and the Redevelopment General Funds.

It was further noted that the Clerk-Treasurer usually simply prepares the reports and provides them without further discussion. Owing to the new members of the Town Council, the Clerk-Treasurer desired to offer a presentation on the reports at the study session.

The Clerk-Treasurer then presented the following reports for the Council's information:

Summary for FY 2020			BUDGET ORDER	
<b>General Fund</b>	<b>Revised</b>		MISC	
Expenses/Appropriated	\$ 7,699,533.00			
	\$ -	Delta	\$8,430,995.42	
	<b>\$ 7,699,533.00</b>			
<b>Income</b>			<b>Actual</b>	
prop tax	2019 \$ 5,682,118.00	72%	\$ -	0.0%
other income	\$ 2,459,559 <b>\$ 2,243,986.00</b>	28%	\$ -	0.0%
	<b>\$ 7,926,104.00</b>		\$ -	
<b>Net Income (deficit)</b>	<b>\$ 226,571.00</b>		<b>DELTA IN MISC \$ 215,573.00</b>	
Proposed Add'l/Approved Appropriations	\$ 260,123.00		After transfer from Enactment 2020-11	
<b>Rev Net Income/(deficit)</b>	<b>\$ (33,552.00)</b>	Percent of		
<b>Jan 1 2020 Cash Balance</b>	\$ 6,522,883.00	Target Reserve at 01/01/2019	<b>189%</b>	
Encumbrances	\$ 471,339.42			86.05%
Incurred in FY 19				DUGF Circ Bk rate 97.0%
To be Paid in FY 20		Percent of		
<b>Jan 1 Cash after Encum</b>	\$ 6,051,543.58	Target Reserve at 12/31/2019		
Dec 31 Cash Balance	\$ 6,017,991.58		<b>188%</b>	
Adjusted collections	\$ 170,463.54			
Adjusted by Cir Bkr	\$ 622,415.00	REVISED from REEDY REPORT		
<b>Real Ending Cash Balance</b>	<b>\$ 5,225,113.04</b>		<b>163%</b>	
<b>Restricted Q3/Helios Funds</b>	<b>\$ 39,000.00</b>			
<b>Unreserved Fund Balance</b>	<b>\$ 5,186,113.04</b>			
Change in balance before adjustments	\$ (33,552.00)			
Change in cash Balance	<b>\$ (826,430.54)</b>			<b>\$ (6,051,543.58)</b>
<b>Required Reserve Balance:</b>	<b>\$ 3,208,138.75</b>			

Summary for FY 2020				
<b>Parks and Recreation Fund</b>				
Expenses/Appropriated	\$ 2,418,431.00			
Encumbered	\$ -	Delta	\$ 2,439,444.05	
	\$ 2,418,431.00			
<b>Income</b>			<b>Actual</b>	1/31/19
prop tax	\$ 1,173,699.00	47%	\$ 617,428.08	52.6%
other income	\$ 1,345,099.00	53%	\$ -	0.0%
	\$ 2,518,798.00		\$ 617,428.08	
<b>Net Income (deficit)</b>	<b>\$ 100,367.00</b>			
Proposed Add Appropriations	\$ -			
<b>Rev Net Income/(deficit)</b>	<b>\$ 100,367.00</b>	Percent of		
<b>Jan 1 Cash Balance</b>	\$ 1,343,296.02	Target Reserve		
		1-Jan	<b>131%</b>	
Encumbrances	\$ 21,013.05			
Incurred in FY 19		Percent of		
To be Paid in FY 20		Target Reserve		
<b>Jan 1 Cash adjusted for Enc</b>	\$ 1,322,282.97	131%		
<b>Dec 31 Cash Balance</b>	\$ 1,422,649.97	<b>141%</b>		
Tax Caps	\$ 135,989.00	Adjusted by REEDY REPORT		
Collections	\$ 58,684.95			
<b>Net Ending Cash Balance</b>	<b>\$ 1,227,976.02</b>	<b>122%</b>	\$ 1,363,965.02	
Change in cash Balance	<b>\$ (115,320.00)</b>		\$ 20,669.00	
<b>Required Reserve Balance:</b>	<b>\$ 1,007,679.58</b>			
		Abstract	\$ 109,910.38	Abstract
			\$ 140,241.73	circuit breaker
			\$ -	refund

**Summary for FY 2020**

<b>Redevelopment General Fund</b>			
Expenses/Appropriated	\$ 267,377.00		Changes Additional & Encumbrances
Encumbered	\$ -	Delta	\$ 277,468.19
	\$ 267,377.00		
<b>Income</b>			
prop tax	\$ 268,948.00		\$ - 0%
other income	\$ 21,391.00		\$ - 0%
	\$ 290,339.00		\$ -
<b>Net Income (deficit)</b>	<b>\$ 22,962.00</b>		
Proposed Approved Add'L Appropriations	\$ -		
<b>Rev Net Income/(deficit)</b>	<b>\$ 22,962.00</b>		
Jan 1 Cash Balance	\$ 361,196.16	Percentage of Required Reserve	
		<b>405%</b>	
Encumbrances	\$ 10,091.19		
Incurred in FY 19			
To be Paid in FY 20			
Jan 1 Cash after Encum	\$ 351,104.97	Adjusted starting balance	
Dec 31 Cash Balance	\$ 374,066.97	Required Reserve	\$ 261,979.30 Excess from reserve
		<b>394%</b> January	\$ 284,941.30 Excess from reserve
Adjusted by Collections	\$ 8,068.44		\$ -
Adjusted by Tax Cap	\$ 31,333.00	Adjusted by REEDY REPORT	
<b>Ending Cash Balance</b>	<b>\$ 334,665.53</b>	<b>375%</b> December	0%
		Adjusted ending balance	
Change in cash Balance	\$ (16,439.44)		
<b>Reserve Balance:</b>	<b>\$ 89,125.67</b>		
(4 months)			

11. *Discuss the issue of Removing the Main Street Bureau from under the Redevelopment Commission and making it a stand-alone Board.* Councilor Sheeman with the Town Council discussed the merits of changing the Main Street Bureau from a group within the Redevelopment Department to a stand-alone body, perhaps as a non for profit entity.

Councilor Sheeman suggested that there is undue tension between some members of the bureau board and the Redevelopment Department. He further suggested that a meeting to address with the several members might be warranted in order to reorient the membership to its mission as stated in the municipal code. It was noted that Main Street organizations are often either part of the economic development function of a municipality, a stand-alone non-profit or part of the local chamber of commerce. It was further noted that if the body would remain a public entity, the absence of some staff support would present challenges for municipal administration.

The Town Council also acknowledged the receipt of a letter from Douglas Van Ramshorst, whose resignation was acknowledged by the Town Council at its meeting of February 24, 2020. The letter protested the approach regarding his continued service with the Board of the Main Street Bureau. Councilor Sheeman indicated that he had not yet read the missive. I

12. *Discussion of Community Events Commission and Community Events with a Beer Garden.* The Town Council discussed the desirability of having a beer garden as part of the Independence Day Festival at Main Square. The discussion included the merits of seeking sponsors to support some of the costs associated with the Town's special events. It was still further noted that a portion of a grant from Canadian National Railroad would be used to enhance the entertainments that could be engaged for the special events at Main Square.

Councilor Herak noted that Our Lady of Grace expressed its intention to continue its

Beer Garden during the annual Independence Day festival.

The Town Council President mentioned the merits of a craft beer garden as part of the Main Square offerings on Independence festival. The discussion included the desirability of closing either Delaware Street or Fifth Street bordering Main Square as part of supporting its usual vendors and including some form or either regular or craft beer garden. Councilor Sheeman stated he would consult with the police chief regarding the feasibility of closing Fifth Street.

The Town Council President also reported a discussion from the Park and Recreation Board regarding the desirability to allow limited alcohol use in rooms beyond the banquet hall at Lincoln Community Center. The express provisions of the Highland Municipal Code governing this issue in the parks generally and the Lincoln Community Center were noted. It was suggested subject to review by the Town Attorney, that the alcohol could be permitted to be served in more than a banquet setting.

**11.10.220 Alcohol and drugs.**

- (A) No person shall drink, sell, possess, make a gift or offer for sale any alcoholic beverage or drugs within the parks nor shall any person within the parks use, administer, receive, offer for sale, possess, or make available to himself, or to any other person or animal, any alcoholic beverage or drugs.
- (B) Notwithstanding subsection (A) of this section and HMC [11.10.225](#), alcoholic beverages may be sold, dispensed, and consumed in the Lincoln Community Center solely in conjunction with a catered event, banquet, permitted event or special event conducted in and confined to a specific location designated for assemblies and rentals. This authorization is subject to provisions of IC 7.1-1 et seq., and [905 905](#) 1 et seq. No person shall use, administer, receive, offer for sale, possess or make available to himself or to any person or animal any drugs. [Ord. 1638 § 6, 2017].

The distinction for Main Square and Sharp Athletic Complex was noted too.

**11.10.225 Special event or activity with alcohol (SEAP).**

- (A) Notwithstanding HMC [11.10.220](#), alcoholic beverages may be sold, dispensed, and consumed solely in conjunction with a special event or activity authorized by a special event with alcohol permit (SEAP) issued by the park and recreation board, under this section and HMC [11.10.020\(D\)](#), and approved by the town council.
- (B) Unless there is an activity or event operating with a valid special exception permit issued by the park board under this section and HMC [11.10.020\(D\)](#), the prohibitions under HMC [11.10.220](#) still apply.
- (C) No special event with alcohol permit (SEAP) shall be issued by the park board under this section and HMC [11.10.020\(D\)](#), unless there is a companion event or activity for which a regular permit may be granted. A special event permit authorized under this section and HMC [11.10.020\(D\)](#) may not be granted where (1) there is no companion activity or (2) the sole activity or event is the sale, dispensing and consumption of alcohol.
- (D) A special event with alcohol permit (SEAP) authorized under HMC [11.10.020\(D\)](#) shall be only issued and valid for an event or activity limited to the following venues:
  - (1) Main Square Park;
  - (2) Sharp Athletic Complex.
- (E) No special event with alcohol permit (SEAP) shall be issued by the park board unless it also has been approved by the town council, according to this section.
- (F) A special event with alcohol permit authorized under this section and HMC [11.10.020\(D\)](#) requires the following process:
  - (1) Applicant filed request with park at least 120 days before the event;
  - (2) Parks and recreation superintendent will cause the application to be considered by the park board within a reasonable time;
  - (3) The park and recreation board will consider the matter at a regular or specially called meeting. If the park and recreation board favors the application, it will approve the permit subject to the approval of the town council;
  - (4) If the town council approves the application, the permit is granted. If it rejects the applicant or fails to act 30 or more days before the event, the permit is denied. [Ord. 1638 § 7, 2017].

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, March 02, 2020**, was adjourned by the Town Council President at 8:35 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer